

AGENDA

CHARLOTTE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

Administration Center, County Commission Meeting Room #119
18500 Murdock Circle, Port Charlotte, Florida 33948-1094

HEARING MINUTES OF JULY 1, 2020

1. **CALL TO ORDER**
SPECIAL MAGISTRATE DEREK ROONEY CALLED THE HEARING TO ORDER AT 9:00 A.M.
2. **SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY**
SUZAN GOWANS ADMINISTERED THE OATH
3. **NEXT MEETING DATE**
August 6, 2020
4. **AGENDA CHANGES**
NONE
5. **UNFINISHED BUSINESS**
NONE
6. **OLD BUSINESS**
NONE
7. **CONFLICT CASES**
NONE
- VIII. **CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES**
All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by the Magistrate that item(s) will be removed from the Consent Agenda and considered separately.
 1. **COD-16-02661**, Raymond Busbey & Sandra Busbey, 1393 Fireside St, Port Charlotte – Seventh Affidavit of Non-Compliance - \$70.00 GR
 2. **COD-19-03283**, Corey Collins, 125 Chickering St, Port Charlotte –Affidavit of Non-Compliance - \$70.00 GR
 3. **UTL-19-00017**, Rhonda Adams, 23078 Bayshore Rd, Port Charlotte –Second Affidavit of Non-Compliance - \$4,520.00 GR
 4. **COD-18-02635**, Yeniel Trujilo Garcia, 8395 Acorn Blvd, Punta Gorda –Third Affidavit of Non-Compliance - \$0.00 **YENIEL TRUJILO GARCIA PRESENT** GW
SPECIAL MAGISTRATE UPHELD THIRD AFFIDAVIT WITH NO FINE
 5. **COD-18-01771**, ZA INVESTS INC, 106 Leland St, Port Charlotte –Second Affidavit of Non-Compliance - \$9,020.00 PD

6. **COD-19-03338**, William Gosner Sr & William Gosner Jr, 403 Dunn Dr, Port Charlotte – Affidavit of Non-Compliance - \$70.00 **WILLIAM GOSNER JR PRESENT** PD
7. **COD-15-02157**, Laura Watkins, 3429 Croton Terrace, Port Charlotte –Fifteenth Affidavit of Non-Compliance - \$210.00 RL
8. **COD-15-02157**, Laura Watkins, 3429 Croton Terrace, Port Charlotte – Sixteenth Affidavit of Non-Compliance - \$ 210.00 RL
9. **COD-15-02350**, Emigdio Cabrera, 3172 Normandy Dr, Port Charlotte – Eighteenth Affidavit of Non-Compliance - \$210.00 RL
10. **COD-16-02169**, Yefim Botvinnik & Yulia Levitski, 22043 Hernando Ave, Port Charlotte – Seventeenth Affidavit of Non-Compliance - \$210.00 RL
11. **COD-17-02521**, PALADIN FINANCIAL INC, & ASTORIA HOMES, 3420 Croton Terrace, Port Charlotte – Sixth Affidavit of Non-Compliance - \$210.00 RL
12. **COD-17-03211**, TARPON IV INC, 21107 Bersell Ave, Port Charlotte – Tenth Affidavit of Non-Compliance - \$210.00 RL
13. **COD-18-02807**, Estate of Lillian Cavaleri, 2321 Easy St, Port Charlotte – Second Affidavit of Non-Compliance - \$210.00 RL
14. **COD-19-01325**, FLORIDA FIRST ESCROW COMPANY, 21147 Glendale Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$410.00 RL
15. **COD-19-02108**, Ronald Kocsi & Geraldine Kocsi, 21418 Meehan Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$ 260.00 RL
16. **COD-19-02592**, Oqab Abuogab, 21090 Ionia Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$ 210.00 RL
17. **COD-19-02703**, Fred Avila, 2134 Starlite Lane, Port Charlotte – Second Affidavit of Non-Compliance - \$ 210.00 RL
18. **COD-19-03034**, Kevin Taylor, 21537 Gibraltar Dr, Port Charlotte –Second Affidavit of Non-Compliance - \$210.00 RL
19. **COD-19-02563**, USSA FEDERAL SAVING BANK, 1417 Coral Ridge Dr, Punta Gorda – Second Affidavit of Non-Compliance - \$190.00 TJ

MAGISTRATE DEREK ROONEY APPROVED THE REMAINING AFFIDAVITS OF NON-COMPLIANCE.

IX. NEW BUSINESS

- A. ~~COD-19-03412~~, US BANK TRUST, 408 Fletcher St, Port Charlotte [Section 3-9-5(b)] JC
CONTINUED UNTIL AUGUST

~~The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist.~~

- B. **COD-20-00053**, Anthony Almeida, 21229 Peachland Blvd, Port Charlotte [Sections 3-9-33(e) & 3-9-76] JC

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- C. **COD-20-00856**, STAR MEDIC, LLC, 25530 Technology Blvd or 8310 Logo Dr, Punta Gorda [Sections 3-5-91, 3-9-100.3(d)(4) & 3-9-76(a)] **MICHAEL PEAT PRESENT** GW

SPECIAL MAGISTRATE DISMISSED 2 YEAR CEASE AND DESIST

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 90 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for any repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- D. **COD-19-02959**, Christopher Law & Shelby Law, 28229 Jacinto Dr, Punta Gorda [Sections 3-9-5(b), 3-9-33(e), 3-9-76 & 3-9-79-.1; & FBC Section 105.1] TJ
CHRISTOPHER LAW PRESENT

ORDER-The County recommends the Respondents be found in violation of the cited code sections and given 180 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- E. **COD-20-00045**, Rosemarie Kluever, 3201 Amanda St, Punta Gorda [IPMC Sections 301.2, 304.2, 304.6, 304.13, 304.14 & 304.15] **ROSEMARIE KLUEVER PRESENT** TJ

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 180 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- F. **COD-20-00176**, Brad Mackie, 21248 Edgewater Dr, Port Charlotte [Section 3-9-5(b)] PD

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- G. **COD-20-00827**, Joseph Cantasano, 200 Dalton Blvd, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] PD

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- H. **COD-19-02185**, Diana Rondeau & Robert Rondeau, 1347 Abalom St, Port Charlotte [Sections 3-9-5(b) & 3-6-21; & FBC Sections 105.1: & 110.1] GR

ORDER-The County recommends the Respondents be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- I. **COD-19-03528**, IH5 PROPERTY FLORIDA L.P, 27214 Deep Creek Blvd, Port Charlotte, [Section 3-9-5(b); & FBC Sections 105.1 & 110.1] GR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist.

- J. **COD-19-03853**, ABRAHAMSON PROPERTIES, LLC, 22095 Laramore Ave, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] GR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$100 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- K. **COD-20-00057**, Rita Gardner Life Estate, 1467 Sheehan Blvd, Port Charlotte [Sections 3-9-33(e) & 3-9-76] GR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- L. ~~COD-20-00242~~, Rachel Bosworth & Donald Bosworth, 200 De Leon Dr, Port Charlotte [Section 3-9-5(b); & FBC Sections 105.1 & 110.1] ~~CONTINUED TO AUGUST~~ GR

~~The County recommends the Respondents be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.~~

- M. **UTL-20-00002**, Arthnel Hastings, 631 Grove Ave NW, Port Charlotte [Section 3-8-41(a)(c)(d)(e)] GR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the order to bring the property into compliance and pay any associated fees to the Charlotte County Utilities; or thereafter be fined \$50 per day for each day a violation exists.

- N. **UTL-20-00005**, Nancy Vigliano, 180 Carlisle Ave, Port Charlotte [Section 3-8-41(a)(c)(d)(e)] GR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the order to bring the property into compliance and pay any associated fees to the Charlotte County Utilities; or thereafter be fined \$50 per day for each day a violation exists.

- O. **UTL-20-00006**, TROPICAL BAY INN MOTEL, INC, 22968 Bayshore Rd, Port Charlotte [Section 3-8-41(a)(c)(d)(e)] GR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the order to bring the property into compliance and pay any associated fees to the Charlotte County Utilities; or thereafter be fined \$100 per day for each day a violation exists.

- P. **DOH-15-00507**, Victor Pelaez & Yanea Rodriguez, 18386 Cortland Ave, Port Charlotte [Section 3-8-256(g)(1), (g)(2) & (g)(3)] GR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- Q. **COD-19-03123**, Donna Hurt Estate, 709 Bayard St, Port Charlotte [Sections 2-5-72, 3-9-5 & 3-9-33; & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 303.2, 304.1, 304.13.1 & 305.1] SR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- R. **COD-19-03510**, Ryan William & Rodney Williams, 2078 Tigard St, Port Charlotte [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 301.2, 304.1, 304.2, 304.6, 304.7 & 304.10] SR

ORDER-The County recommends the Respondents be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- S. **COD-20-00193**, Preston Vulgamore, 3485 Sage St, Port Charlotte [Sections 3-9-33(e) & 3-9-100.3(d)] SR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- T. **COD-20-00759**, Christian Dimarco & Debbie Dimarco, 4500 Larkspur Ct, Port Charlotte [Sections 3-6-21, 3-9-33(e) & 3-9-79.1] **CHRISTIAN DIMARCO PRESENT** SR

ORDER-The County recommends the Respondents be found in violation of the cited code sections and given 90 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- U. **COD-20-00875**, Patrick Howanitz, 18542 Satsuma Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] SR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- V. **COD-20-01042**, David Anzalotti, 18086 Northern Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76] SR

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- w. **COD-19-03423**, Ronald Hoke, 10427 Boyette St, Englewood [FBC Sections 105.4 & 110.3] JD

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- x. **COD-19-03766**, FLORIDA HMP DEVELOPMENTS, LLC, 129 Sunset Rd, Rotonda West [FBC Sections 105.4 & 110.3] **HOLLY MCFALL PRESENT** JD

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 60 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist.

- y. **COD-19-03767**, W FLORIDA HMP INVESTMENTS, LLC, 162 Sunset Rd, Rotonda West [FBC Sections 105.4 & 110.3] JD

ORDER-The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist.

XII ADJOURNMENT

SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 10:46 AM

MINUTES APPROVAL CERTIFICATION

I, Suzan Gowans, Administrative Assistant for Charlotte County, hereby approve and certify these minutes to be a true and accurate account of the Code Enforcement Special Magistrate Hearing held on July 1st, 2020.

Suzan Gowans
Suzan Gowans

07/07/2020
Date Approved